

Claim Rejections:

Claims 40 and 45 were rejected under the judicially created doctrine of obviousness – type double patenting as being unpatentable over claims 1-5 of commonly owned U.S. 6,716,953; as set forth on page 2 of the Office Action.

A terminal disclaimer in compliance with 37 CFR 1.321(c) is submitted herewith as to claims 40 and 45 disclaiming the term of any patent to issue from the instant application which extends beyond the term of U.S. 6,716,953. Therefore, reconsideration and withdrawal of the rejection of claims 40 and 45 is respectfully requested.

Claims 47-81 were provisionally rejected under the judicially created doctrine of obviousness – type double patenting as being unpatentable over claims 6-39 of co-pending and commonly owned U.S. Patent Application No. 10/772,907 as set forth on page 2 of the Office Action.

A terminal disclaimer in compliance with 37 CFR 1.321(c) is submitted herewith disclaiming the term of any patent to issue from the instant application which extends beyond the term of any patent to issue from co-pending U.S. Patent Application No. 10/772,907. Therefore, reconsideration and withdrawal of the provisional rejection of claims 47-81 is respectfully requested.

In view of the foregoing, Applicants believe the application is now in condition for allowance. Please contact the undersigned attorney if there are any issues remaining.

Respectfully Submitted,


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